

**BOARD OF NURSING
MEETING MINUTES
OCTOBER 14, 2010**

- PRESENT:** Kay Coppens, Maria Joseph, Gretchen Lowe, Steven Rush, Nelson Soler, Kathleen Sullivan, Lou Ann Weix (excused at 2:57 p.m.)
- EXCUSED:** Evelyn Merriett, Julia Nelson
- STAFF:** Jeff Scanlan, Bureau Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Jeanette Lytle, Attorney; and Sharon Henes, Department Monitor
- GUESTS:** Craig Telega, Divine Savior Healthcare; Deb Jenks, Milwaukee School of Engineering – School of Nursing; Nancy Vrabec and Dessie Levy, Milwaukee Area Technical College; Katie Garrity, Southwest Technical College; Eleanor Rehberg and Robin Stauffacher, Beloit Health Systems; Anna Quintana and Allison Johnson, Nazareth/Blackhawk Technical College; Kathy Van Erden, Moraine Park Technical College; Sue Schmitz, Mental Health Center – Dane County; Judy Warmuth, Wisconsin Hospital Association (WHA); Ruth Wheaton Cox, Julie Pierce, Paul Hendricks, Kathy Gates, and Barb Dettman, Blackhawk Technical College; Karen Ellis and Liz Wertz, Mercy Health Systems; Unintelligible Name, Veterans Administration; Jane Quinn, Hospice Care Incorporated; Evelyn Kealey, St. John Vramig Paid Nurse; Brian Willison and Tracy Seiler Schultz, Herzing University – Madison; Sue Rees, University of Wisconsin Hospital and Clinics; Heidi Jones, Dean Health; Lysette Marie, LPN; Paul Witmer; Laura LaRue, Wisconsin Nurses Association - PAP Tellurian; Diane Oftedahl, Care Wisconsin; Jessy Barry, RN; Senator Judy Robson, Senate; Matt Leininger, RN; Tom Berthold, RN – UW Oshkosh Accel

CALL TO ORDER

Kathleen Sullivan, Chair, called the meeting to order at 10:24 a.m. A quorum of seven (7) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item “B” (open session) Under the item titled “Administrative Report” **ADD:** “Board of Nursing and Department of Regulation and Licensing Overview of PowerPoint Presentation”
- After Item “C” (open session) **REMOVE:** the item titled “Report of Practice Committee”
- After Item “II” (closed session) Under the item titled “Deliberation of Proposed Stipulations Received After Mailing of Agenda” **ADD:**
 - 1. Kathleen M. Brand-Olsen, L.P.N. (10 NUR 173)
- After Item “C” (open session) Under the item titled “Consideration of Designating a Board Member and a Department Representative to the Department of Workforce Development (DWD) Nursing Survey Committee” Add “Appearance and Remarks by State Senator Judy Robson”

MOTION: Steven Rush moved, seconded by Kay Coppens, to approve the agenda of October 14, 2010 as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 2, 2010

MOTION: Steven Rush moved, seconded by Gretchen Lowe, to approve the minutes of September 2, 2010 as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2011

CHAIR

NOMINATION: Gretchen Lowe nominated Kathleen Sullivan for the Office of Board Chair. Nomination carried unanimously.

Kathleen Sullivan, Chair, called for other nominations three (3) times.

Kathleen Sullivan was elected as Board Chair.

VICE CHAIR

NOMINATION: Nelson Soler nominated Lou Ann Weix for the Office of Vice Chair. Nomination carried unanimously.

Kathleen Sullivan, Chair, called for other nominations three (3) times.

Lou Ann Weix was elected as Vice Chair.

SECRETARY

NOMINATION: Gretchen Lowe nominated Julia Nelson for the Office of Secretary. Nomination carried unanimously.

Kathleen Sullivan, Chair, called for other nominations three (3) times.

Julia Nelson was elected as Secretary.

2011 Board Officers	
Board Chair	Kathleen Sullivan
Vice Chair	Lou Ann Weix
Secretary	Julia Nelson

ADMINISTRATIVE REPORT

The Board and Department provided introductions to the audience and explained their respective roles. Jeff Scanlan gave an explanation regarding how to make application to the Governor's Appointment Office for individuals interested in applying for a position on the Board.

Board of Nursing and Department of Regulation and Licensing Overview of PowerPoint Presentation

Jeff Scanlan conducted a PowerPoint presentation on the Board of Nursing and Department of Regulation and Licensing.

Explanation of Open vs. Closed Session

Colleen Baird provided an explanation of the difference between open session and closed session proceedings.

REVIEW AND DISCUSSION OF CHANGES TO RL 7 REGARDING THE IMPAIRED PROFESSIONALS PROCEDURE (IPP)

Jeff Scanlan provided background concerning the Board's interest in IPP for the benefit of the audience. He noted that the programs title will change to the Professional Assistance Program (PAP) as a result of rule promulgation.

The Board reviewed revisions to the RL 7 rule draft with Jeff Scanlan and Colleen Baird outlining the primary changes. The Board also discussed recommendations from the NCSBN Guidelines for monitoring and the ability to incorporate some of these recommendations into PAP.

CONSIDERATION OF DESIGNATING A BOARD MEMBER AND A DEPARTMENT REPRESENTATIVE TO THE DEPARTMENT OF WORKFORCE DEVELOPMENT (DWD) NURSING SURVEY COMMITTEE

Jeff Scanlan explained to the Board that this agenda item had been requested, however he is not certain of the Board's ability to designate a member to participate on the DWD Workforce Survey Committee. Judy Warmuth, WHA, provided comments to the Board regarding this topic. She noted that Marilyn Kaufmann has been an ongoing member of this Committee. Judy Warmuth stated that the Committee is now planning for the upcoming LPN survey, noted that as the Committee does not have an LPN member and added that Marilyn Kaufmann suggested that the Board may wish to designate an LPN representative to participate on the Committee. Kay Coppens volunteered to participate on the Committee as an LPN representative and Jeff Scanlan indicated that he is willing to serve as a representative for the Department if he can obtain approval.

MOTION: Nelson Soler moved, seconded by Maria Joseph, to designate Kay Coppens as the Board's representative to the DWD Nursing Workforce Survey Committee. Motion carried unanimously.

Appearance and Remarks by State Senator Judy Robson

Senator Judy Robson thanked the Board of Nursing and the Department for their support in mandating the completion of survey as a requirement for renewal and for the addition of fees that funded the creation of the Wisconsin Center for Nursing, the entity who is working to aggregate the information collected from the survey. She indicated that the information that has been collected is invaluable in terms of addressing the nursing shortage and indicated that work to collate and fully interpret this information is still underway. Senator Robson informed the Board that Texas has received a federal grant to create a center to utilize workforce data that should help the profession plan for the nursing shortage.

Senator Robson then informed the Board that she is chairing a special legislative council committee on infant mortality rates. She indicated that this committee is finding that Racine, Kenosha, and Rock counties general have some of the highest infant mortality rates in the country. She likened the mortality ratings in these counties to those found in a third world country. Senator Robson also informed the Board of issues relating to low birth weights that result in excessive cost to health care system, the educational system and the workforce. She noted that the special committee is working to find ways to curb the cost of care for these infants.

Judy Robson discussed a presentation provided to the committee by the nurse midwives and spoke to statistical data that was delivered. She stated that the data provided by the nurse midwives demonstrates exceptional outcomes in terms of birth weight and delivery of infants for these professionals. Senator Robson added that midwives are not able to practice in the aforementioned counties due to their inability to gain hospital privileges as they are unable to form the required collaborative agreement with an obstetrician. She expressed her opinion that this is a topic that the Board should be aware of and suggested that the Board receive a presentation by the nurse midwives. She acknowledged the support of Judy Warmuth in addressing this issue. Judy Warmuth inferred that the barrier to practice for nurse midwives is in the fact that medical staff control hospital privileges. Judy Robson then referenced passive legislation that was pursued in the last session regarding hospital admittance for midwives and noted that this bill did not make it through because of opposition by obstetricians. Board discussion of this topic ensued.

**SELENA WILLIAMS, LPN (RESPONDENT) AND JEANETTE LYTLE, DIVISION OF
ENFORCEMENT PROSECUTING ATTORNEY – PRESENTATION OF PETITION FOR
SUMMARY SUSPENSION IN THE MATTER CONCERNING
SELENA WILLIAMS, LPN (10 NUR 236)**

Jeanette Lytle, DOE Attorney, presented a petition for summary suspension in the matter concerning Selena Williams, LPN (10 NUR 236). Selena Williams, LPN, did not appear to provide oral arguments.

REPORT OF EDUCATION AND LICENSURE COMMITTEE

Steven Rush, Education and Licensure Committee Chair, reported to the Board regarding the actions taken at the today's meeting.

Columbia College Request for Approval of Status Change

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to recommend approval of the request submitted by Columbia College for a status change and to require the submission of a progress report to be submitted to the Board. Motion carried unanimously.

BOARD MOTION: Nelson Soler moved, seconded by Lou Ann Weix, to accept the recommendation for approval of the request submitted by Columbia College for a status change and to require the submission of a progress report to be submitted to the Board. Motion carried unanimously.

Lac Courte Orielles Ojibawa Community College Application to Admit Students to Associate Degree in Nursing Program

COMMITTEE MOTION: Lou Ann Weix moved, seconded by Nelson Soler, to recommend approval of the application submitted by Lac Courte Orielles Ojibawa Community College to admit students to its associate degree in nursing program beginning January 2011. Motion carried unanimously.

BOARD MOTION: Gretchen moved, seconded by Maria Joseph, to accept the recommendation for approval of the application submitted by Lac Courte Orielles Ojibawa Community College to admit students to its associate degree in nursing program beginning January 2011. Motion carried unanimously.

Review of Wisconsin Lutheran College Spring 2011 NUR 321 Adult Health Syllabus

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to recommend approval of Wisconsin Lutheran College's request for acceptance of its Spring 2011 NUR 321 Adult Health syllabus. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Nelson Soler, to accept the recommendation for approval of Wisconsin Lutheran College's request for acceptance of its Spring 2011 NUR 321 Adult Health syllabus. Motion carried unanimously.

Review of Wisconsin Lutheran College NUR 322 Global Health Syllabus

COMMITTEE MOTION: Nelson Soler moved, seconded by Lou Ann Weix, to recommend approval of Wisconsin Lutheran College's request for acceptance of NUR 322 Global Health syllabus. Motion carried unanimously.

BOARD MOTION: Maria Joseph moved, seconded by Gretchen Lowe, to accept the recommendation for approval of Wisconsin Lutheran College's request for acceptance of NUR 322 Global Health syllabus. Motion carried unanimously.

Herzing Associate Degree in Nursing NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to recommend that Herzing University submit a formal NCLEX RN pass rate improvement plan prior to November 10, 2010. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to accept the recommendation that Herzing University submit a formal NCLEX RN pass rate improvement plan prior to November 10, 2010. Motion carried unanimously.

Milwaukee Area Technical College Associate Degree in Nursing NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Lou Ann Weix moved, seconded by Maria Joseph, to recommend that Milwaukee Area Technical College NCLEX RN pass rate's and probation status be reevaluated after receipt of Quarter 1, 2011 data. Motion carried unanimously.

BOARD MOTION: Nelson Soler moved, seconded by Lou Ann Weix, to accept the recommendation that Milwaukee Area Technical College NCLEX RN pass rate's and probation status be reevaluated after receipt of Quarter 1, 2011 data. Motion carried unanimously.

Moraine Park Technical College NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to recommend approval of the NCLEX RN pass rate improvement plan submitted by Moraine Park Technical College with a request for submission of updated reports on a quarterly basis. Motion carried unanimously.

BOARD MOTION: Lou Ann Weix moved, seconded by Kay Coppens, to accept the recommendation for approval of the NCLEX RN pass rate improvement plan submitted by Moraine Park Technical College with a request for submission of updated reports on a quarterly basis. Motion carried unanimously.

Southwest Technical College Associate Degree in Nursing NCLEX-RN Pass Rate Improvement Plan

COMMITTEE MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to recommend approval of the NCLEX RN pass rate improvement plan submitted by Southwest Technical College with a request for submission of updated report after receipt of Quarter 2, 2011 data. Motion carried unanimously.

BOARD MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to accept the recommendation for approval of the NCLEX RN pass rate improvement plan submitted by Southwest Technical College with a request for submission of updated report after receipt of Quarter 2, 2011 data. Motion carried unanimously.

PUBLIC COMMENTS

Lysette Marie, LPN, posed questions to the Board about her ability to obtain a license and to practice as she has not worked as a nurse in recent years. Information was provided to this individual regarding options available for her through LPN refresher courses.

Sue Schmitz, Mental Health Center – Dane County, provided comments relevant to concerns that the Wisconsin board does not conduct federal background checks. Jeff Scanlan indicated that he is the Board's Nurse Licensure Compact Agreement (NLCA) administrator and stated that federal background checks are highly recommended by the NLCA. He added that the Board has pursued this issue previously to no avail and indicated that legislation would be required to achieve authority for background checks. Colleen Baird briefly addressed a Department initiative for pursuit of a modernization bill. She indicated that she made a recommendation that the Department pursue authority to receive and to review federal background checks. Steven Rush indicated that in some cases fingerprint background checks are conducted by employer, but stated that this shifts the burden to the employer when this matter could be conducted by the state.

Craig Telega, Divine Savoir Healthcare, inquired of the Board's rationale for not requiring nurses to complete continuing education. The Board responded by discussing research of the National Council of State Boards of Nursing (NCSBN) which indicates that there is no evidence that the completion of continuing education ensures competency. Jeff Scanlan stated that major organizations like the Citizens Advocacy Center are pushing for continuing competence as a better model than continuing education. Steven Rush noted that continuing competence is a national issued and indicated that there is a question of how to evaluate competency. He indicated that the general consensus on the matter is that there is a need for deficiency testing which would identify areas of strengths and weaknesses. Lou Ann Weix stated that Wisconsin mandates that advanced practice nurses to complete sixteen (16) hours of continuing education per biennium in the area of pharmacology and that her national certification requires that she complete forty (40) hours of continuing education on a biennial basis.

CLOSED SESSION

MOTION: Steven Rush moved, seconded by Maria Joseph, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Roll Call Vote: Kay Coppens-yes; Maria Joseph-yes; Gretchen Lowe-yes; Steven Rush-yes; Nelson Soler-yes; Kathleen Sullivan-yes; and Lou Ann Weix-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:40 a.m.

RECONVENE TO OPEN SESSION

MOTION: Maria Joseph moved, seconded by Steven Rush, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:52 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF
VOTING IS APPROPRIATE**

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to reaffirm all motions made in closed session. Motion carried unanimously.

JESSE J. BARRY, R.N., REQUEST FOR REVISION TO NATIONAL DATA BANK REPORT

Jesse J. Barry, RN, appeared before the Board in support of his request for revision to the National Practitioner Data Bank report. Jesse Barry also noted that although he is represented by an attorney that he is waiving his rights for the purpose of this proceedings.

MOTION: Steven Rush moved, seconded by Lou Ann Weix, to deny Mr. Barry's request for amendment of the National Practitioner Data Bank (NPDB) report on the basis that the selected NPDB state licensure action code is consistent with, and accurately corresponds, to the respondent's misconduct and his violation of N7.03(3), Wis. Admin. Code, which defines the violation as "evidenced by the conduct", and is not limited to an actual diagnosis of mental impairment or disorder. Any improvement in Respondent's condition or conduct occurring after the Board's Order does not warrant a revision to the original NPDB report, but can be properly addressed in a subsequent action report when the license is fully reinstated. Motion carried unanimously.

REVIEW OF APPLICATION

Susan Camden – Review of Application for Licensure as a Registered Nurse

MOTION: Nelson Soler moved, seconded by Kay Coppens, to grant registered nurse licensure to Susan Camden. Motion carried unanimously.

MONITORING

**MATTHEW LEININGER, RN
REQUESTING FULL LICENSE OR MODIFICATION**

Matthew Leininger, RN, appeared before the Board in support of his request for reinstatement of full licensure or modification of his Board Order.

MOTION: Kay Coppens moved, seconded by Lou Ann Weix, to grant Matthew Leininger, RN's request for termination of therapy requirements, a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test and a reduction of frequency of AA/NA meeting participation to once (1) per week. Motion carried unanimously.

**THOMAS BERTHOLD, RN
REQUESTING MODIFICATION**

Matthew Leininger, RN, appeared before the Board in support of his request for modification of his Board Order.

MOTION: Steven Rush moved, seconded by Gretchen Lowe, to grant Thomas Berthold, RN's request for three (3) month extension of limited license for the sole purpose of completing a nurse refresher course based on the statement of Mr. Berthold, provided at today's meeting, that he has completed the didactic portion of his refresher course. The Board grants a request for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test and denies the request for access. **Reason for Denial:** Insufficient time under Board Order – Mr. Berthold is not currently working as a nurse. Motion carried. Opposed – 2

**SHAUNA DETTINGER, RN
REQUESTING FULL LICENSE**

MOTION: Gretchen Lowe moved, seconded by Lou Ann Weix, to deny Shauna Dettinger, RN's request for full licensure, but to grant request for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test. **Reason for Denial:** Insufficient time under Board Order. Motion carried unanimously.

**KRISTINE KOHLMANN, RN
REQUESTING REINSTATEMENT**

MOTION: Kay Coppens moved, seconded by Steven Rush, to deny Kristine Kohlmann, RN's request for reinstatement and to remind Ms. Kohlmann that the Board requires one (1) year of compliance to grant a petition for reinstatement. **Reason for Denial:** Positive drug screens and diluting urine. Motion carried unanimously.

**PETER SOBOTTA, RN
REQUESTING FULL LICENSE**

MOTION: Lou Ann Weix moved, seconded by Nelson Soler, to deny Peter Sobotta, RN's request for full licensure. **Reason for Denial:** Non-compliance with Board Order. Motion carried unanimously.

**MARY WEBER, RN
REQUESTING REINSTATEMENT OF FULL LICENSE**

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to deny Mary Weber, RN's request for full licensure. **Reason for Denial:** Non-compliance with Board Order. Motion carried unanimously.

**JAMIE MATTSON, RN
REQUESTING FULL LICENSE OR MODIFICATION**

MOTION: Maria Joseph moved, seconded by Kay Coppens, to deny Jamie Mattson, RN's request for full licensure or modification and to remove the stay of suspension. The Board requires three months of compliance prior to submission of further petitions. **Reason for Denial:** Missed call-ins and testing. Motion carried unanimously.

**JILL BAUKNECHT, RN
REQUESTING MODIFICATION**

MOTION: Steven Rush moved, seconded by Maria Joseph, to grant Jill Bauknecht, RN's request for a reduction in the frequency of drug screens to twenty-eight (28) per year plus one (1) annual hair test, but to deny a request for a reduction of the frequency of therapy visits. **Reason for Denial:** Non-compliance with Board Order. Motion carried unanimously.

**THERESA HINELINE, RN
REQUESTING MODIFICATION**

MOTION: Steven Rush moved, seconded by Maria Joseph, to deny Theresa Hinline, RN's request for termination of therapy, for removal of the restriction prohibiting the personal consumption of alcohol, access and removal of the requirement for direct supervision. **Reason for Denial:** Non-compliance with Board Order - failure to submit therapy reports. Motion carried unanimously.

**ANITA JONES, RN
REQUESTING MODIFICATION**

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to deny Anita Jones, RN's request for termination of therapy and requires that Ms. Jones transfer her drug testing to Affinity Health Systems. **Reason for Denial:** Lack of support from therapist for termination and concern with work report. Motion carried unanimously.

**CHARLENE KUECHERER, RN
REQUESTING MODIFICATION**

MOTION: Maria Joseph moved, seconded by Nelson Soler, to grant Charlene Kuecher, RN's request for a reduction in the frequency of drug screens to twenty-eight (28) per year with one (1) annual hair test and requires Ms. Kuecher to increase her screens to forty-eight (48) per year plus one (1) annual hair test once nursing employment has been gained. Motion carried unanimously.

**CHERYL MILLER, LPN
REQUESTING MODIFICATION**

MOTION: Steven Rush moved, seconded by Kay Coppens, to grant Cheryl Miller, LPN's request for termination of therapy and denies the request for removal of work setting restrictions, the request for decrease or termination of the frequency of drug screens and requires an increases the frequency of NA meeting attendance to twice (2) per week because of termination of therapy as stated in the Board Order. The Board requests submission of an explanation regarding current prescriptions that are not reflected on recent drug screens and requires Ms. Miller to submit to drug screening via hair test. **Reason for Denial:** Insufficient time under Board order and current prescriptions are not reflected on recent drug screens. Motion carried unanimously.

**TIMOTHY MURPHY, RN
REQUESTING MODIFICATION**

MOTION: Gretchen Lowe moved, seconded by Nelson Soler, to deny Timothy Murphy, RN's request for access and reduction in drug screens and to remove the stay of suspension. The Board requires three months of compliance prior to submission of further petitions. **Reason for Denial:** Non-compliance with Board Order. Motion carried unanimously.

**KIMBERLY RODERS, LPN
REQUESTING MODIFICATION**

MOTION: Kay Coppens moved, seconded by Gretchen Lowe, to deny Kimberly Roders, LPN's request for termination of therapy and denies a reduction in the frequency of drug screens until Ms. Roders submits documentation explaining the positive drug screen on 3/4/2010. **Reason for Denial:** Lack of therapy report and previously mentioned explanation regarding positive drug screen. Motion carried unanimously.

**ANN SCHUCK, RN
REQUESTING STAY AND LIMITED LICENSE FOR REFRESHER COURSE**

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to deny Amy Schuck, RN's request for stay of suspension, limited license for the sole purpose of completing a nurse refresher course and for termination of therapy. **Reason for Denial:** Non-compliance with Board Order. Motion carried unanimously.

**LAURA HUGHES, RN
SURRENDER LICENSE**

MOTION: Steven Rush moved, seconded by Maria Joseph, to grant Laura Hughes, RN's request for surrender of license. Motion carried unanimously.

DELIBERATION OF PETITION FOR SUMMARY SUSPENSION

SELENA WILLIAMS, LPN (10 NUR 236)

MOTION: Nelson Soler moved, seconded by Kay Coppens, to confirm a finding of probable cause to issue the petition for summary suspension on the basis that the respondent's conduct poses an imminent danger to the public and to adopt the order of summary suspension in the matter of disciplinary proceedings against Selena Williams, LPN (10 NUR 236). Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS AND
FINAL DECISIONS AND ORDERS**

1. Michael M. Djerf, R.N. (10 NUR 128)
2. Jacquelynn R. Evans, R.N. (09 NUR 410)
3. Vickie L. Gonzales, L.P.N. (09 NUR 174)
4. Roberta Klimek, L.P.N. (09 NUR 310)
5. Janet McGrorty, R.N. (07 NUR 230)
6. Maria A. Mihalik, R.N. (10 NUR 195)
7. Katie M. Peret, R.N. (10 NUR 050)
8. Kathleen A. Rinker, R.N. (09 NUR 279)
9. Lolita Sharpe, R.N. (10 NUR 167) **The Board received additional information for Ms. Sharpe.*
10. Brooke Steinacker, R.N. (09 NUR 019)
11. Sherry L. Tracy, R.N. (10 NUR 005)
12. Johnnie V. Wheeler, L.P.N. (09 NUR 411)
13. Patricia Zwieg, L.P.N. (10 NUR 090)

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against the individuals listed above. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS RECEIVED
AFTER MAILING OF AGENDA**

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Kathleen M. Brand-Olsen, L.P.N. (10 NUR 173). Motion carried unanimously.

DELIBERATION OF ORDERS FIXING COSTS

Holly M. Anderson, L.P.N., Respondent, LS0911201NUR

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to adopt the Order Fixing Cost in the matter of disciplinary proceedings against Holly M. Anderson, LPN, Respondent (LS0911201NUR). Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISION AND ORDERS

Amended Proposed Decision and Order in the Matter of Disciplinary Proceedings Against Keith M. Daniels, R.N., Respondent – Division of Hearings and Appeals (DHA) Case # DRL-09-0129

MOTION: Gretchen Lowe moved, seconded by Nelson Soler, to defer deliberation of the Findings of Fact, Conclusions of Law, amended Final Decision and Order in the matter of disciplinary proceedings against Keith M. Daniels, R.N., Respondent – Division of Hearings and Appeals (DHA) Case # DRL-09-0129. The Board requested that the matter concerning the analysis of cost be address by the DHA Administrative Law Judge in time for submission to the Board's December 2010 meeting agenda. Motion carried unanimously.

Proposed Decision and Order in the Matter of Disciplinary Proceedings Against Lisa Kay Dewall, R.N., Respondent, DHA Case # DRL-10-0024

MOTION: Gretchen Lowe moved, seconded by Maria Joseph, to refer to legal counsel for preparation of a variance to the proposed decision in the matter of disciplinary proceedings against Lisa Kay Dewall, R.N., Respondent, DHA Case # DRL-10-0024. Motion carried unanimously.

Proposed Decision and Order in the Matter of Disciplinary Proceedings Against Wendy Jean Kearns, R.N., Respondent, DHA Case # DRL-10-0045

MOTION: Gretchen Lowe moved, seconded by Steven Rush, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against Wendy Jean Kearns, R.N., Respondent, DHA Case # DRL-10-0045. Motion carried unanimously.

DIVISION OF ENFORCEMENT CASE CLOSINGS

1. 09 NUR 349 – Insufficient Evidence
2. 09 NUR 403 – No Violation
3. 10 NUR 199 – No Violation
4. 10 NUR 222 – Prosecutorial Discretion (P7)
5. 10 NUR 300 – Prosecutorial Discretion (P2)
6. 10 NUR 301 – Prosecutorial Discretion (P2)
7. 10 NUR 366 – Insufficient Evidence

MOTION: Kay Coppens moved, seconded by Maria Joseph, to close the cases as identified above. Motion carried unanimously.

Division of Enforcement Signature Collection

Signatures were collected for all required documents.

ADJOURNMENT

MOTION: Steven Rush moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:53 p.m.